

Date: March 18, 2002

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Jiang et al. )  
App. No. : 09/738,372 )  
For : RESONANT FABRY-PEROT )  
SEMICONDUCTOR SATURABLE )  
ABSORBERS AND TWO PHOTON )  
ABSORPTION POWER LIMITERS )  
Filed : December 15, 2000 )  
Examiner : Jeffrey N. Zahn )  
Group Art Unit : 2881 )

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Box AF, United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on

March 18, 2002

(Date)

James B. Bear, Reg. No. 25,221

Box AF  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated December 19, 2001, of the Primary Examiner finally rejecting Claims 22-28 and 33-34. The items marked below are appropriate:

Filing Fee: 320.00 <sup>UP</sup>

(X) \$320 (large entity)

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The undersigned attorney hereby petitions the Board of Appeals and Interferences to consolidate the appeal hearings for Application No. 09/738,372 and Application No. 09/738,373. These two cases share the identical specification, and the rejections being appealed are identical. Consolidating these appeals, at least for the oral hearing, will conserve the time of the Board and will reduce the hearing cost for the Assignee.

Signature:

James B. Bear  
Registration No. 25,221  
Customer No. 20,995  
Phone No.: 949.721.2904

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